

**Sprague Energy  
Cumberland County  
South Portland, Maine  
A-179-71-K-R (SM)**

**Departmental  
Findings of Fact and Order  
Air Emission License**

After review of the air emissions license application, staff investigation reports and other documents in the applicant's file in the Bureau of Air Quality, pursuant to 38 M.R.S.A., Section 344 and Section 590, the Department finds the following facts:

**I. REGISTRATION**

**A. Introduction**

Sprague Engery (Sprague) located in South Portland, Maine has applied to renew their Air Emission License permitting the operation of emission sources associated with their bulk storage and distribution facility.

**B. Emission Equipment**

The following equipment is addressed in this air emission license:

**Fuel Burning Equipment**

<b><u>Equipment</u></b>	<b><u>Maximum Capacity (MMBtu/hr)</u></b>	<b><u>Maximum Firing Rate (gal/hr)</u></b>	<b><u>Fuel Type, % sulfur</u></b>	<b><u>Stack #</u></b>
Boiler #1	7.5	59.6	#2 fuel oil, 0.5%	1
Boiler #2	5.0	36.0	#2 fuel oil, 0.5%	2
Boiler #3	1.0	7.6	#2 fuel oil, 0.5%	3
Boiler #5	2.0	14.4	#2 fuel oil, 0.5%	5

**Bulk Storage Equipment**

<b><u>Tank Number</u></b>	<b><u>Capacity (bbls)</u></b>	<b><u>Current Product Stored</u></b>	<b><u>Roof Type</u></b>
K-1*	17,850	Kaolin	Cone Fixed
K-2*	17,850	Kaolin	Cone Fixed
K-3*	4,800	Kaolin	Cone Fixed
K-4*	4,800	Kaolin	Cone Fixed

<b><u>Tank Number</u></b>	<b><u>Capacity (bbls)</u></b>	<b><u>Current Product Stored</u></b>	<b><u>Roof Type</u></b>
3	77,100	#2 Fuel Oil	Cone Fixed
4	31,400	Kerosene	Internal Floating
5	31,700	Kerosene	Internal Floating
7	88,700	Kerosene	Internal Floating
101	30,900	Diesel	Internal Floating
103	13,900	Kero/Jet	Cone Fixed
104	20,000	Kerosene	Internal Floating
105	89,300	#2 Fuel Oil	Cone Fixed
111	50,600	#2 Fuel Oil	Internal Floating
112	59,700	Kerosene	Internal Floating
113	59,700	Kero/Jet	Internal Floating
114	59,700	Kerosene	Internal Floating
118	92,200	#2 Fuel Oil	Cone Fixed
R-6	714	Diesel	Cone Fixed
KO-9	70,400	Asphalt	Internal Floating
KO-7	30,700	Kerosene	Internal Floating
KO-13	76,800	F/O	Cone Fixed
KO-14	104,500	F/O	Cone Fixed
KO-28	41,500	Aviation Gasoline	Internal Floating
KO-1	15,000	Asphalt	Cone Fixed
KO-2	15,000	Asphalt	Cone Fixed
KO-8	110,000	Asphalt	Cone Fixed
KO-15	25,000	Asphalt	Cone Fixed
KO-16	1,500	Asphalt	Cone Fixed
KO-17	1,500	Asphalt	Cone Fixed
KO-18	600	Asphalt	Cone Fixed
KO-19	600	Asphalt	Cone Fixed
KO-20	600	Asphalt	Cone Fixed
KO-21	600	Asphalt	Cone Fixed
KO-22	120	Asphalt	Cone Fixed
KO-24	900	Asphalt	Cone Fixed
KO-25	900	Asphalt	Cone Fixed
KO-26	500	Asphalt	Cone Fixed
KO-27	250	Asphalt	Cone Fixed
KO-29	450	Asphalt	Cone Fixed
A-7*	238	Additive	Cone Fixed
A-8*	150	Additive	N/A

<u>Tank Number</u>	<u>Capacity (bbls)</u>	<u>Current Product Stored</u>	<u>Roof Type</u>
A-30*	50	Additive	N/A
KO-6	4,600	Out of Service	Cone Fixed
KO-5	400	Out of Service	Cone Fixed
KO-4	400	Out of Service	Cone Fixed
KO-3	14,100	Out of Service	Internal Floating
KO-23	400	Out of Service	Cone Fixed
KO-12	2,300	Out of Service	Cone Fixed
KO-11	500	Out of Service	Cone Fixed
KO-10	500	Out of Service	Cone Fixed
31	3,020	Out of Service	Cone Fixed
32	3,020	Out of Service	Cone Fixed
40	30,500	Out of Service	External Floating
42	154,350	Out of Service	Cone Fixed
102	32,000	Out of Service	Internal Floating
K-5	17,660	Kaolin	Cone Fixed
K-6	20,650	Kaolin	Cone Fixed
K-7	14,750	Kaolin	Cone Fixed
AC-1	239	F/O	Internal Floating
AC-2	239	F/O	Internal Floating

\* these tanks are noted for completeness only

Note: those tanks equipped with an internal floating roof are able to store gasoline as well as distillate products

### Process Equipment

<u>Equipment</u>	<u>Control Rate</u>
(2) McGill Carbon Absorption Units	35 mg/liter (each)

**C. Application Classification**

The application for Sprague does not include the licensing of increased emissions or the installation of new or modified equipment. Therefore, the license is considered to be a renewal of current licensed emission units only and has been processed through Chapter 115 of the Department's regulations. With the facility wide VOC limit of 49.9 ton/year, the facility is licensed below the major source thresholds and is considered a synthetic minor.

**II. BEST PRACTICAL TREATMENT (BPT)**

**A. Introduction**

In order to receive a license the applicant must control emissions from each unit to a level considered by the Department to represent Best Practical Treatment (BPT), as defined in Chapter 100 of the Department regulations. Separate control requirement categories exist for new and existing equipment as well as for those sources located in designated non-attainment areas.

BPT for existing emissions equipment means that method which controls or reduces emissions to the lowest possible level considering:

- the existing state of technology;
- the effectiveness of available alternatives for reducing emissions from the source being considered; and
- the economic feasibility for the type of establishment involved.

**B. Boilers #1, 2, 3, and 5**

Boilers #1, 2, 3, and 5 are used for facility heating needs.

All of the boilers have a maximum heat input capacity of less than 10 MMBtu/hr and are therefore not subject to the New Source Performance Standards (NSPS) Subpart Dc for steam generating units greater than 10 MMBtu/hr manufactured after June 9, 1989.

A summary of the BPT analysis for the boilers is the following:

1. The total fuel use for the facility shall not exceed 500,000 gal/year of #2 fuel oil, based on a 12 month rolling total, with a maximum sulfur content not to exceed 0.5% by weight.
2. Chapter 106 regulates fuel sulfur content, however in this case a BPT analysis for SO<sub>2</sub> determined a more stringent limit of 0.5% was appropriate and shall be used.

3. Chapter 103 regulates PM emission limits for Boilers #1 and #2. The PM<sub>10</sub> limits are derived from the PM limits.
4. The PM and PM<sub>10</sub> limits for Boilers #3 and #5 are derived from Chapter 103.
5. NO<sub>x</sub> emission limits are based on data from similar #2 fired boilers of this size and age.
6. CO and VOC emission limits are based upon AP-42 data dated 9/98.
7. Visible emissions from the boilers shall each not exceed 20% opacity on a six (6) minute block average, except for no more than one (1) six (6) minute block averages in a continuous 3-hour period.

**C. Vapor Recovery Units**

Sprague operates two separate loading racks at the facility. Loading rack #1 is equipped with 2 top loading positions and 3 bottom loading positions. Loading rack #2 is equipped with 6 loading bays for all products at the facility. Each of these racks are controlled by the use of a McGill carbon absorption unit, vapor recovery unit #1 at loading rack #1 and vapor recovery unit #2 at loading rack #2. Each vapor recovery unit is rated at 35 milligrams of VOC per liter of product transferred.

Loading Rack #2 processes only distillate material. However, since Sprague is required to control vapors from the loading of any truck whose most recent previous load was gasoline, Sprague utilizes vapor recovery unit #2 for this purpose. Sprague will conduct periodic compliance tests to demonstrate that each of these units is meeting the required collection efficiency. The last compliance test for Loading Rack #2 was performed in May 2003 and resulted in a tested emission rate of 5.46 milligram per liter.

**D. Distillate and Asphalt Storage Tanks**

Sprague currently operates 40 tanks with cone fixed roofs capable of storing petroleum products. Sixteen of these tanks are used for asphalt storage. Each of these tanks varies in size and throughput depending on the demand for distillates throughout the year.

Asphalt operations are conducted separately. There is a loading area designated for the top loading of asphalt into tank trucks.

**E. Gasoline Storage Tanks**

In addition to the above distillate storage, Sprague also operates several tanks with internal floating roofs (13) (and one external floating roof tank that is currently out of service) capable of storing gasoline. At this time there is no gasoline storage at this facility, however, the capacity is there. During this time,

these tanks are being utilized for additional distillate storage as needed. These tanks are operated as swing tanks depending on demand.

Upon removing an internal floating roof tank from service for cleaning and/or repair, Sprague plans to install double seals on the internal floating roofs prior to putting the tank back into gasoline service to ensure reduction in emissions. As these tanks are put back into gasoline service, Sprague shall ensure that each tank is operated and maintained according to the requirements specified in the Order Section for gasoline storage tanks.

Tank KO-28 was put into aviation gasoline service in February of 2000. This tank is equipped with double seals on the internal floating roof. Tank KO-28 is subject to New Source Performance Standard (NSPS) Subpart Kb since it met the definition of "modification" when it was converted to aviation gas in 2000.

F. Annual Emissions

Sprague shall be restricted to the following annual emissions, based on a 12 month rolling total:

**Total Licensed Annual Emission for the Facility**  
**Tons/year**

(used to calculate the annual license fee)

	<b>PM</b>	<b>PM<sub>10</sub></b>	<b>SO<sub>2</sub></b>	<b>NO<sub>x</sub></b>	<b>CO</b>	<b>VOC</b>	<b>Total HAPS</b>
Boilers	4.2	4.2	17.6	12.3	1.3	--	--
Facility Wide Limit	--	--	--	--	--	49.9	9.9
<b>Total TPY</b>	<b>4.2</b>	<b>4.2</b>	<b>17.6</b>	<b>12.3</b>	<b>1.3</b>	<b>49.9</b>	<b>9.9</b>

### III.AMBIENT AIR QUALITY ANALYSIS

According to the Maine Regulations Chapter 115, the level of air quality analyses required for a renewal source shall be determined on a case-by case basis. Modeling and monitoring are not required for a renewal if the total emissions of any pollutant released do not exceed the following:

<u>Pollutant</u>	<u>Tons/Year</u>
PM	25
PM <sub>10</sub>	25
SO <sub>2</sub>	50
NO <sub>x</sub>	100
CO	250

Based on the above total facility emissions, Sprague is below the emissions level required for modeling and monitoring.

### ORDER

Based on the above Findings and subject to conditions listed below, the Department concludes that the emissions from this source:

- will receive Best Practical Treatment,
- will not violate applicable emission standards,
- will not violate applicable ambient air quality standards in conjunction with emissions from other sources.

The Department hereby grants Air Emission License A-179-71-K-R subject to the following conditions.

Severability. The invalidity or unenforceability of any provision, or part thereof, of this License shall not affect the remainder of the provision or any other provisions. This License shall be construed and enforced in all respects as if such invalid or unenforceable provision or part thereof had been omitted.

### STANDARD CONDITIONS

- (1) Employees and authorized representatives of the Department shall be allowed access to the licensee's premises during business hours, or any time during which any emissions units are in operation, and at such other times as the Department

deems necessary for the purpose of performing tests, collecting samples, conducting inspections, or examining and copying records relating to emissions (Title 38 MRSA §347-C).

- (2) The licensee shall acquire a new or amended air emission license prior to commencing construction of a modification, unless specifically provided for in Chapter 115. [MEDEP Chapter 115]
- (3) Approval to construct shall become invalid if the source has not commenced construction within eighteen (18) months after receipt of such approval or if construction is discontinued for a period of eighteen (18) months or more. The Department may extend this time period upon a satisfactory showing that an extension is justified, but may condition such extension upon a review of either the control technology analysis or the ambient air quality standards analysis, or both. [MEDEP Chapter 115]
- (4) The licensee shall establish and maintain a continuing program of best management practices for suppression of fugitive particulate matter during any period of construction, reconstruction, or operation which may result in fugitive dust, and shall submit a description of the program to the Department upon request. [MEDEP Chapter 115]
- (5) The licensee shall pay the annual air emission license fee to the Department, calculated pursuant to Title 38 M.R.S.A. §353. [MEDEP Chapter 115]
- (6) The license does not convey any property rights of any sort, or any exclusive privilege. [MEDEP Chapter 115]
- (7) The licensee shall maintain and operate all emission units and air pollution systems required by the air emission license in a manner consistent with good air pollution control practice for minimizing emissions. [MEDEP Chapter 115]
- (8) The licensee shall maintain sufficient records to accurately document compliance with emission standards and license conditions and shall maintain such records for a minimum of six (6) years. The records shall be submitted to the Department upon written request. [MEDEP Chapter 115]
- (9) The licensee shall comply with all terms and conditions of the air emission license. The filing of an appeal by the licensee, the notification of planned changes or anticipated noncompliance by the licensee, or the filing of an application by the licensee for a renewal of a license or amendment shall not stay any condition of the license. [MEDEP Chapter 115]

- (10) The licensee may not use as a defense in an enforcement action that the disruption, cessation, or reduction of licensed operations would have been necessary in order to maintain compliance with the conditions of the air emission license. [MEDEP Chapter 115]
- (11) In accordance with the Department's air emission compliance test protocol and 40 CFR Part 60 or other method approved or required by the Department, the licensee shall:
- A. perform stack testing to demonstrate compliance with the applicable emission standards under circumstances representative of the facility's normal process and operating conditions:
    - 1. within sixty (60) calendar days of receipt of a notification to test from the Department or EPA, if visible emissions, equipment operating parameters, staff inspection, air monitoring or other cause indicate to the Department that equipment may be operating out of compliance with emission standards or license conditions; or
    - 2. pursuant to any other requirement of this license to perform stack testing.
  - B. install or make provisions to install test ports that meet the criteria of 40 CFR Part 60, Appendix A, and test platforms, if necessary, and other accommodations necessary to allow emission testing; and
  - C. submit a written report to the Department within thirty (30) days from date of test completion.
- [MEDEP Chapter 115]
- (12) If the results of a stack test performed under circumstances representative of the facility's normal process and operating conditions indicate emissions in excess of the applicable standards, then:
- A. within thirty (30) days following receipt of such test results, the licensee shall re-test the non-complying emission source under circumstances representative of the facility's normal process and operating conditions and in accordance with the Department's air emission compliance test protocol and 40 CFR Part 60 or other method approved or required by the Department; and
  - B. the days of violation shall be presumed to include the date of stack test and each and every day of operation thereafter until compliance is demonstrated under normal and representative process and operating conditions, except to the extent that the facility can prove to the satisfaction of the Department that there were intervening days during which no violation occurred or that the violation was not continuing in nature; and
  - C. the licensee may, upon the approval of the Department following the successful demonstration of compliance at alternative load conditions, operate under such alternative load conditions on an interim basis prior to a demonstration of compliance under normal and representative process and operating conditions.
- [MEDEP Chapter 115]

- (13) Notwithstanding any other provisions in the State Implementation Plan approved by the EPA or Section 114(a) of the CAA, any credible evidence may be used for the purpose of establishing whether a person has violated or is in violation of any statute, regulation, or Part 70 license requirement. [MEDEP Chapter 115]
- (14) The licensee shall maintain records of malfunctions, failures, downtime, and any other similar change in operation of air pollution control systems or the emissions unit itself that would affect emission and that is not consistent with the terms and conditions of the air emission license. The licensee shall notify the Department within two (2) days or the next state working day, whichever is later, of such occasions where such changes result in an increase of emissions. The licensee shall report all excess emissions in the units of the applicable emission limitation. [MEDEP Chapter 115]
- (15) Upon written request from the Department, the licensee shall establish and maintain such records, make such reports, install, use and maintain such monitoring equipment, sample such emissions (in accordance with such methods, at such locations, at such intervals, and in such a manner as the Department shall prescribe), and provide other information as the Department may reasonably require to determine the licensee's compliance status. [MEDEP Chapter 115]

**SPECIFIC CONDITIONS**

**(16) Boilers**

- A. Total fuel use for Boilers #1, 2, 3, and 5 combined shall not exceed 500,000 gal/yr of #2 fuel oil with a maximum sulfur content not to exceed 0.5% by weight. Compliance shall be demonstrated by fuel records showing the quantity of fuel fired and the percent sulfur of the fuel. Records of annual fuel use shall be kept on a 12-month rolling total basis. [MEDEP Chapter 115, BPT]
- B. Emissions shall not exceed the following:

<b>Emission Unit</b>	<b>Pollutant</b>	<b>lb/MMBtu</b>	<b>Origin and Authority</b>
Boiler #1	PM	0.12	MEDEP, Chapter 103, Section 2(B)(1)(a)
Boiler #2	PM	0.12	MEDEP, Chapter 103, Section 2(B)(1)(a)

C. Emissions shall not exceed the following [MEDEP Chapter 115, BPT]:

<b>Emission Unit</b>	<b>PM (lb/hr)</b>	<b>PM<sub>10</sub> (lb/hr)</b>	<b>SO<sub>2</sub> (lb/hr)</b>	<b>NO<sub>x</sub> (lb/hr)</b>	<b>CO (lb/hr)</b>	<b>VOC (lb/hr)</b>
Boiler #1	0.90	0.90	3.78	2.63	0.27	0.02
Boiler #2	0.60	0.60	2.52	1.75	0.18	0.01
Boiler #3	0.12	0.12	0.50	0.35	0.04	0.01
Boiler #5	0.24	0.24	1.01	0.70	0.07	0.01

D. Visible emissions from the boilers shall each not exceed 20% opacity on a six (6) minute block average, except for no more than two (2) six (6) minute block averages in a continuous 3-hour period. [MEDEP Chapter 101]

**(17) Loading Racks and Carbon Absorption Units**

- A. The bulk terminal shall be equipped and maintained with a carbon absorption unit that captures displaced VOC vapors whenever gasoline (or aviation gas) is being transferred to a tank truck at each loading rack. [MEDEP Chapter 112]
- B. All loading and vapor lines shall be equipped and maintained in good working order such that vapor tight fittings close automatically when disconnected and the pressure in the vapor collection system shall not be allowed to exceed +18 inches of water or a vacuum exceeding -6 inches of water. [MEDEP Chapter 112 and 120]
- C. Gasoline loading shall be allowed only into tank trucks and trailers that have been properly certified pursuant to 40 CFR Appendix A, Method 27 and maintained and labeled as vapor-tight in accordance with MEDEP Chapter 120. [MEDEP Chapter 112]
- D. As part of Sprague's Best Management Practices plan for controlling emissions, any tank truck carrying gasoline or which has carried gasoline as the most recent previous load shall utilize the vapor collection system during the entire loading process. [MEDEP Chapter 115, BPT]
- E. 100% of the lower explosive limit (LEL) obtained within one inch around any potential leak source of the tank truck, including all loading couplings, vapor lines and fittings employed in the transfer of gasoline, are prohibited. [MEDEP Chapter 120]

- F. VOC emissions from the carbon absorption units shall not exceed 35 milligrams per liter of product transferred. Compliance with this limit shall be determined by methods promulgated in 40 CFR Part 60.503 or other methods approved by the Department. [MEDEP Chapter 112]
- G. Sprague Energy shall conduct an annual compliance test of vapor recovery unit #1 prior to May 15<sup>th</sup> of each year. A report containing the test results shall be submitted to the Department within 30 days of the completion of testing in accordance with the Department's stack test protocol. [MEDEP Chapter 115, BPT]
- H. Sprague Energy shall conduct a compliance test of vapor recovery unit #2 prior to May 15, 2006 and every third year thereafter. A report containing the test results shall be submitted to the Department within 30 days of the completion of testing in accordance the Department's stack test protocol. [MEDEP Chapter 115, BPT]
- I. Sprague Energy shall be limited to an annual facility VOC emission limit of 49.9 tons per calendar year. [MEDEP Chapter 115, BPT]
- J. Sprague Energy shall conduct a leak inspection of all equipment at the loading racks and around the carbon absorption units, utilizing sight, sound and smell at a minimum of once per month. All leaks must be repaired as quickly as possible, but within 15 calendar days, with the first attempt at repair made no later than 5 days from the initial detection of the leak. [MEDEP Chapter 115, BPT]
- K. Sprague Energy shall maintain an inspection log documenting all leak inspections. The log shall include date of inspection, any detected leaks, nature of the leak and detection method, date of repair attempts and methods used, details of any delays in repairs and the final date of repair. Sprague Energy shall make these records available for inspection by the Department. [MEDEP Chapter 115, BPT]

**(18) Distillate Storage Tanks**

- A. Sprague Energy shall conduct routine inspections of all distillate storage tanks at a minimum of once every month around the perimeter of the tank and roof. [MEDEP Chapter 115, BPT]

B. The following records shall be maintained at the source and available for inspection by the Department [MEDEP Chapter 115, BPT]:

1. inspection log documenting any detected leaks, holes, tears, or other openings and the corrective action taken, and
2. monthly throughput specifying quantity and types of volatile petroleum liquids in each tank and the period of storage.

**(19) Gasoline Storage Tanks**

A. All gasoline storage tanks shall be equipped, maintained and operated such that:

1. there is an internal floating roof with closure seal(s) between the roof edge and the tank wall and these are maintained so as to prevent vapor leakage, [MEDEP Chapter 111]
2. the internal floating roof and the closure seal(s) will be maintained such that there are no holes, tears, or other openings in the seal or between the seal and the floating roof, [MEDEP Chapter 111]
3. all storage tank openings, except stub drains, are equipped with covers, lids or seals which remain closed at all times, [MEDEP Chapter 111]
4. all automatic bleeder vents are closed at all times except when the roof is floated off or landed on the roof leg supports, [MEDEP Chapter 111]
5. all rim vents, if provided, are to be set to open only when the roof of being floated off leg supports or at the manufacturers recommended setting, [MEDEP Chapter 111]
6. if any holes, tears, or other openings are present the source shall make repairs as soon as practicable, but no later than 15 calendar days with the first attempt at repair to be made no later than 5 days from the initial detection of the leak. [MEDEP Chapter 115, BPT]
7. Upon removing an internal floating roof tank from service for cleaning and/or repair, Sprague Energy shall install double seals on the internal floating roofs prior to the storage tank going back into gasoline service to ensure reduction in emissions. [MEDEP Chapter 115, BPT]

B. Sprague Energy shall comply with the following source inspection requirements [MEDEP Chapter 111]:

1. routine inspections of floating roofs are conducted through roof hatches once every month, and
2. a complete inspection of the cover and seal is to be performed at least once every ten years and each time the tank is emptied and degassed. These inspections shall be conducted by visually inspecting the floating roof deck, deck fittings and rim seals.

- C. The following records shall be maintained at the source and available for inspection by the Department:
1. inspection log documenting routine monthly inspections of floating roof covers and seals, including LEL readings from such inspections, which are to include explanation of any excessive increases in LEL readings as compared to normal operating conditions, [MEDEP Chapter 115, BPT]
  2. inspection log documenting all complete inspections of cover and seal to be performed whenever tank is emptied and degassed, at a minimum of once every ten years, [MEDEP Chapter 111]
  3. inspection log documenting any detected leaks, holes, tears, or other openings and the corrective action taken, [MEDEP Chapter 115, BPT]
  4. monthly throughput specifying quantity and types of volatile petroleum liquids in each tank and the period of storage, and [MEDEP Chapter 111]
  5. average monthly product storage temperatures and maximum true vapor pressures or Reid vapor pressures of volatile petroleum liquids. [MEDEP Chapter 111]
- D. For those tanks that are equipped for dual storage Sprague Energy shall comply with all requirements, as applicable, for storage of gasoline whenever the tank in question is put into gasoline service. No notification is required when products are switched provided the tank is equipped with an internal floating roof for proper storage. [MEDEP Chapter 115, BPT]
- E. Tank KO-28 is subject to, and shall comply with, all applicable parts of 40 CFR Part 60, Subpart Kb.

**(20) Record Keeping**

For all record keeping required by this license the licensee shall maintain records of the most current six year period.

- A. Records shall be maintained showing the average annual information for each of the petroleum storage tanks in order to calculate annual VOC emissions [MEDEP Chapter 115, BPT]:
1. quantity and type of petroleum liquid stored in each tank,
  2. Reid vapor pressure,
  3. Maximum true vapor pressure,
  4. Average storage temperature,
  5. Average throughput in each tank,
  6. Tank emissions calculated using EPA TANKS program or an alternative approved by the Department,

7. Tank truck emissions assuming 1.3% of the vapors are displaced during loading (based on assumed capture efficiency of 98.7% as given in 40 CFR Part 63, Subpart R), and
  8. HAP speciation data as given by the American Petroleum Institute (API) or other speciation data as obtained by a supplier.
- B. Sprague Energy shall calculate and record the annual total facility VOC and HAP emissions (tons) from the loading racks, storage tanks, and fugitive sources (i.e. pumps, valves, flanges). [MEDEP Chapter 115, BPT]
- C. Sprague Energy shall maintain records of all monthly inspections and leak inspections of all equipment utilizing sight, smell and sound. [MEDEP Chapter 115, BPT]
- (21) Sprague Energy may request exemption from Condition 17(D) when the Department determines that it is infeasible for Sprague Energy to follow their Best Management Practices plan due to energy crisis, equipment outage, natural disasters, or other causes not reasonably within Sprague Energy's control and such request will not pose an unreasonable threat to the public health, safety, or environment. [MEDEP Chapter 115, BPT]
- (22) Sprague shall notify the Department within 48 hours and submit a report to the Department on a quarterly basis if a malfunction or breakdown in any component causes a violation of any emission standard (Title 38 MRSA §605).
- (23) **Annual Emission Statement**  
In accordance with MEDEP Chapter 137, the licensee shall annually report to the Department the information necessary to accurately update the State's emission inventory by means of:
- 1) A computer program and accompanying instructions supplied by the Department;  
or
  - 2) A written emission statement containing the information required in MEDEP Chapter 137.

Reports and questions should be directed to:

Attn: Criteria Emission Inventory Coordinator  
Maine DEP  
Bureau of Air Quality  
17 State House Station  
Augusta, ME 04333-0017

Phone: (207) 287-2437

The emission statement must be submitted by July 1 or as otherwise specified in Chapter 137.

**(24) Air Toxics Emission Statement**

If Sprague exceeds the thresholds for HAPs listed in Appendix A of MEDEP Chapter 137 in an inventory year, in accordance with MEDEP Chapter 137 the licensee shall report, no later than July 1 every three years (2005, 2008, 2011, etc.) or as otherwise stated in Chapter 137, the information necessary to accurately update the State's toxic air pollutants emission inventory by means of a written emission statement containing the information required in MEDEP Chapter 137.

Reports and questions on the Air Toxics emissions inventory portion should be directed to:

Attn: Toxics Inventory Coordinator  
Maine DEP  
Bureau of Air Quality  
17 State House Station  
Augusta, ME 04333-0017

Phone: (207) 287-2437

**Sprague Energy  
Cumberland County  
South Portland, Maine  
A-179-71-K-R (SM)**

**17**

**Departmental  
Findings of Fact and Order  
Air Emission License**

**(25) Payment of Annual License Fee**

Sprague shall pay the annual air emission license fee within 30 days of January 31<sup>st</sup> of each year. Pursuant to 38 MRSA §353-A, failure to pay this annual fee in the stated timeframe is sufficient grounds for revocation of the license under 38 MRSA §341-D, subsection 3.

DONE AND DATED IN AUGUSTA, MAINE THIS                      DAY OF                      2006.

DEPARTMENT OF ENVIRONMENTAL PROTECTION

BY: \_\_\_\_\_  
DAVID P. LITTELL, COMMISSIONER

**The term of this license shall be five (5) years from the signature date above.**

PLEASE NOTE ATTACHED SHEET FOR GUIDANCE ON APPEAL PROCEDURES

Date of initial receipt of application: 11/16/05

Date of application acceptance: 11/17/05

Date filed with the Board of Environmental Protection: \_\_\_\_\_

This Order prepared by Lynn Ross, Bureau of Air Quality.